

From: Randall.Dong
Sent: Friday, December 13, 2013 3:02 PM
To: PSC_Technical Advisory; PSC_Legal Department
Cc: Daphne.Duke
Subject: FW: Docket No. 2013-392-E -- Joint Application of Duke Energy Carolinas, LLC and North Carolina Electric Membership Corporation for a Certificate of Environmental Compatibility and Public Convenience and Necessity

FYI and for DMS posting:

From: Randall.Dong
Sent: Friday, December 13, 2013 3:00 PM
To: Hudson, Shannon; Len; 'Shafeek-Horton, Timika'; CASchurg@AustinRogersPA.com
Cc: rlwhitt@AustinRogersPA.com; doug@jenningslawoffice.com; Edwards, Nanette; dickmajs@dhec.sc.gov; Taylor, Alvin; Parrish, Duane; bholman@selcsc.org; charles.terreni@terrenilaw.com; jtiencken@tienckenlaw.com; pconway@tienckenlaw.com; rick.feathers@NCEMCS.com
Subject: RE: Docket No. 2013-392-E -- Joint Application of Duke Energy Carolinas, LLC and North Carolina Electric Membership Corporation for a Certificate of Environmental Compatibility and Public Convenience and Necessity

Dear Counsel:

Unfortunately, it now appears that there are one or more conflicts on all of the proposed dates with one or more parties or Commissioners. As I pointed out previously, the statute appears to require us to commence a public hearing in this matter no later than January 22. The statute does not require that the hearing be completed at that time, however. In an effort to accommodate everyone, I am asking Counsel for input as to a method by way of which we can discharge our statutory duty to commence public hearings in this matter no later than January 22, while still allowing us to find mutually agreeable dates on the calendar which may reach beyond the January 22 commencement deadline. Please advise as to how we all might work together to accomplish this.

Thanks.
Randall Dong

From: Hudson, Shannon
Sent: Thursday, December 12, 2013 2:01 PM
To: Len; Randall.Dong; 'Shafeek-Horton, Timika'; CASchurg@AustinRogersPA.com
Cc: rlwhitt@AustinRogersPA.com; doug@jenningslawoffice.com; Edwards, Nanette; dickmajs@dhec.sc.gov; Taylor, Alvin; Parrish, Duane; bholman@selcsc.org; charles.terreni@terrenilaw.com; jtiencken@tienckenlaw.com; pconway@tienckenlaw.com; rick.feathers@NCEMCS.com
Subject: RE: Docket No. 2013-392-E -- Joint Application of Duke Energy Carolinas, LLC and North Carolina Electric Membership Corporation for a Certificate of Environmental Compatibility and Public Convenience and Necessity

The 16th works for ORS.

Shannon

From: Len [<mailto:len.anthony1@gmail.com>]
Sent: Thursday, December 12, 2013 1:02 PM
To: Randall.Dong; 'Shafeek-Horton, Timika'; CASchurg@AustinRogersPA.com
Cc: rlwhitt@AustinRogersPA.com; doug@jenningslawoffice.com; Edwards, Nanette; Hudson, Shannon; dickmajs@dhec.sc.gov; Taylor, Alvin; Parrish, Duane; bholman@selcsc.org; charles.terreni@terrenilaw.com; jtiencken@tienckenlaw.com; pconway@tienckenlaw.com; rick.feathers@NCEMCS.com
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On January 21, 2013 I have committed to be a presenter in a CLE seminar in Washington, DC. So, would you please ask the Public Service Commission to schedule the hearing for January 16? Thank you. Len

From: Randall.Dong [<mailto:Randall.Dong@psc.sc.gov>]

Sent: Thursday, December 12, 2013 12:21 PM

To: Shafeek-Horton, Timika; 'CASchurg@AustinRogersPA.com'

Cc: 'len.anthony1@gmail.com'; 'rlwhitt@AustinRogersPA.com'; 'doug@jenningslawoffice.com'; Edwards, Nanette; Hudson, Shannon; 'dickmajs@dhec.sc.gov'; Taylor, Alvin; Parrish, Duane; 'bholman@selcsc.org'; 'charles.terreni@terrenilaw.com'; 'jtiencken@tienckenlaw.com'; 'pconway@tienckenlaw.com'; 'rick.feathers@NCEMCS.com'

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Dear Counsel:

I am informed that the Commission would prefer either January 16 or January 21. Please advise if either date poses a problem.

Thanks.

Randall Dong

From: Shafeek-Horton, Timika [<mailto:Timika.Shafeek-Horton@duke-energy.com>]

Sent: Thursday, December 12, 2013 10:36 AM

To: 'CASchurg@AustinRogersPA.com'; Randall.Dong

Cc: 'len.anthony1@gmail.com'; 'rlwhitt@AustinRogersPA.com'; 'doug@jenningslawoffice.com'; Edwards, Nanette; Hudson, Shannon; 'dickmajs@dhec.sc.gov'; Taylor, Alvin; Parrish, Duane; 'bholman@selcsc.org'; 'charles.terreni@terrenilaw.com'; 'jtiencken@tienckenlaw.com'; 'pconway@tienckenlaw.com'; 'rick.feathers@NCEMCS.com'

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January 13 would work for Duke and NCEMC.

From: Carrie A. Schurg [<mailto:CASchurg@AustinRogersPA.com>]

Sent: Wednesday, December 11, 2013 11:28 AM

To: Randall.Dong@psc.sc.gov <Randall.Dong@psc.sc.gov>

Cc: len.anthony1@gmail.com <len.anthony1@gmail.com>; Richard L. Whitt <rlwhitt@AustinRogersPA.com>; doug@jenningslawoffice.com <doug@jenningslawoffice.com>; Shafeek-Horton, Timika; rickfeathers@ncemcs.com <rickfeathers@ncemcs.com>; nsedwar@regstaff.sc.gov <nsedwar@regstaff.sc.gov>; shudson@regstaff.sc.gov <shudson@regstaff.sc.gov>; dickmajs@dhec.sc.gov <dickmajs@dhec.sc.gov>; taylor@dnr.sc.gov <taylor@dnr.sc.gov>; dparrish@scprt.com <dparrish@scprt.com>; Bholman@selcsc.org <Bholman@selcsc.org>; Bholman@selcsc.org <Bholman@selcsc.org>; charles.terreni@terrenilaw.com <charles.terreni@terrenilaw.com>; jtiencken@tienckenlaw.com <jtiencken@tienckenlaw.com>; pconway@tienckenlaw.com <pconway@tienckenlaw.com>

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*** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ***

This email was dictated by Richard Whitt:

Randall:

In response to Mr. Holman's email below, January 13th and January 16, 2014, would be more convenient to Invenergy, than the January 9, 2014, date.

Regards,
Richard Whitt

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From: Blan Holman [<mailto:bholman@selcsc.org>]

Sent: Tuesday, December 10, 2013 5:43 PM

To: Randall.Dong

Cc: Taylor, Alvin; Terreni, Charles L.A. (charles.terreni@terrenilaw.com); doug@jenningslawoffice.com; Parrish, Duane; dickmajs@dhc.sc.gov; jtiencken@tienckenlaw.com; len.anthony1@gmail.com; Edwards, Nanette; pconway@tienckenlaw.com; Richard L. Whitt; Hudson, Shannon; Shafeek-Horton, Timika (Timika.Shafeek-Horton@duke-energy.com)

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Are January 13 or 16 possibilities for PSC and other parties?

If those dates are out for PSC/others, we could start on the 9th. However, we have a witness who cannot be there on the 9th but could be there on the morning of the 10th.

Thank you for your consideration,

Blan

Sent from my iPhone

On Dec 9, 2013, at 15:32, "Randall.Dong" <Randall.Dong@psc.sc.gov> wrote:

Dear Parties and Counsel:

As you all know, the Application in Docket No. 2013-392-E was filed with the Commission on or around October 24, 2013. The public hearing on the matter has been scheduled to take place on Tuesday, January 7, 2014 at 10:00 AM. Notice of the hearing has been published in several newspapers. On or about December 3, 2013, three petitions to intervene were filed with the Commission. On December 5, 2013, one of the intervenors also filed a request for the appointment of a hearing officer. I expect that I will be appointed hearing officer in the case.

Unfortunately, I have a medically-related conflict with the currently scheduled date and time for the hearing in this matter. Compounding the difficulty of the situation is the time constraint imposed by statute for commencing the hearing. S.C. Code Section 58-33-130(1) provides, in part: "Upon the receipt of an application complying with § 58-33-120, the Commission shall promptly fix a date for the commencement of a public hearing, not less than sixty nor more than ninety days after the receipt, and shall conclude the proceedings as expeditiously as practicable." The scheduled hearing date is 75 days after the filing of the initial application. Therefore, we cannot postpone the hearing for very long, if at all. Thursday, January 9, 2014 is available on the Commission calendar. There may be other dates available, but in any event, the 90th day following the initial filing is Wednesday, January 22, 2014. Please advise whether January 9 is workable for you all, or whether you have any other proposals by way of which the Commission can carry out the terms of the statute.

B. Randall Dong, Staff Counsel
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

Telephone: (803) 896-5176

Facsimile: (803) 896-5231

Randall.Dong@psc.sc.gov

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